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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.   | CONFIRMATION NO. |
|-----------------|-------------|----------------------|-----------------------|------------------|
| 09/778,562      | 02/07/2001  | Tal Cohen            | 11588.109220 (COHEN1) | 4401             |

7590 09/24/2004  
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Atlanta, GA 30308-2216

EXAMINER

SAX, STEVEN PAUL

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2174

DATE MAILED: 09/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                 |              |  |
|------------------------------|-----------------|--------------|--|
| <b>Office Action Summary</b> | Application No. | Applicant(s) |  |
|                              | 09/778,562      | COHEN ET AL. |  |
|                              | Examiner        | Art Unit     |  |
|                              | Steven P Sax    | 2174         |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.  
4a) Of the above claim(s) 45 is/are withdrawn from consideration.  
5) ☒ Claim(s) 4, 12-23 and 30-41 is/are allowed.  
6) ☐ Claim(s) 1-3, 5-11, 24-29, 42-44, 46-52 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. This application has been examined. The amendment filed 5/17/04 has been entered

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 5-11, 24-29, 42-44, 46-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy (6615247) and Matsumoto et al (6763334).

4. Regarding claim 1, Murphy shows a method for modifying the structure of a network accessible website based on the analysis of activity associated with the website (abstract, column 2 lines 37-63), including: monitoring activity associated with the website (column 3 lines 32-44), maintaining data representative of the activity and a present structure of the website (column 3 lines 40-55, column 4 lines 12-25), applying a set of rules to generate a recommendation (column 4 lines 32-42) to modify the structure of the website based on the recommendation (column 3 lines lines 50-65, column 4 lines 42-65, column 5 lines 5-16. Note the 'rules' include comparisons and resultant actions based on matches, etc.). Murphy may not specifically show monitoring

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sequential user access of objects of interest, but do show efficient monitoring of objects of interest on the web. Furthermore, Matsumoto et al show monitoring sequential user access of objects of interest for efficient monitoring of an advertising object of interest on the web (column 2 lines 20-45, 55-60, column 5 lines 40-60). It would have been obvious to a person with ordinary skill in the art to monitor sequential user access of objects of interest in Murphy, because it would provide efficient monitoring of an object of interest on the web.

5. Regarding claim 2, the website includes a homepage, objects of interest, all being accessible by a network address which identifies the structure of the website (Murphy - inherent, column 3 lines 35-45, column 4 lines 50-60).

6. Regarding claim 3, the website is accessed via the address (Murphy column 3 lines 35-45), the structure data of the website is parsed to generate the present structure (Murphy column 3 lines 35-50), and the data representative of the presents structure is stored (Murphy column 4 lines 50-60). Links between objects of interest are identified (Murphy column 3 lines 20-40).

7. Claims 5-7 show the same features as claims 1-3 respectively and are rejected for the same reasons.

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8. Regarding claim 8, the activity is comprised of user sessions, or user accesses, in which a user is identified and data associated with the session is stored (Murphy column 3 lines 15-20 and 39-50). The user access monitoring, as shown in Matsumoto et al and obvious as explained in Paragraph 4 of this Office Action, assembles the user accesses of a user in a user session (Matsumoto et al column 5 lines 35-61).

9. Regarding claim 9, the order and time of user accesses to the website's objects of interest are retrieved (Murphy column 4 lines 42-60. The tracking provides the order and time).

10. Claims 10-11 show the same features as 8-9 respectively and are rejected for the same reasons.

11. Regarding claims 24-25, customizing is performed via human intervention based on the recommendations (Murphy column 4 lines 32-42).

12. Claims 26-29 show the same features as claims 8-11 respectively and are rejected for the same reasons.

13. Claims 42-43 show the same features as claims 24-25 respectively and are rejected for the same reasons.

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14. Claims 44-45 show the same features as claim 1 and are rejected for the same reasons.

15. Regarding claims 46-47, the object of interest may be single or plural network documents (Murphy column 2 lines 30-60).

16. Regarding claim 48, the user accesses may be automated (Murphy column 4 lines 42-60).

17. Claims 49-51 show the same features as claim 3 and are rejected for the same reasons. Note that the states of interest are objects, the relationships are hyperlinks, and the sequential occurrences are user accesses.

18. Claim 52 shows the same features as claim 49 and is rejected for the same reasons.

19. Claims 4, 12-23, 30-41 are allowable over the prior art of record. These claims bring out additional features such as alias and page distance retrievals and processes, CLASS and other special structure creations, anomaly grouping, matrix creation, which combined in the claims are not set forth in the prior art of record.

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20. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P Sax whose telephone number is 703-305-9582. The examiner can normally be reached on M-F 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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STEVEN CHAN  
PRIMARY EXAMINER